

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ABU DHABI COMMERCIAL BANK, et al.,	:	Civil Action No. 1:08-cv-07508-SAS-DCF
Individually and On Behalf of All Others	:	
Similarly Situated,	:	<u>CLASS ACTION</u>
	:	
Plaintiffs,	:	NOTICE OF PLAINTIFFS' <i>DAUBERT</i>
	:	MOTIONS
vs.	:	
	:	
MORGAN STANLEY & CO.	:	
INCORPORATED, et al.,	:	
	:	
Defendants.	:	
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		ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the accompanying Omnibus Memorandum of Law in Support of Their *Daubert* Motions, plaintiffs hereby move this Court before the Honorable Shira A. Scheindlin, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, Courtroom 15C, New York, New York 10007, for an order granting plaintiffs' motion to exclude or limit the opinions and conclusions defense experts, Ryan Birtel, Frank Fabozzi, Bradford Cornell, Steven Grenadier, and Katrien van Acoleyen may testify to at trial. This motion is made on the following grounds:

1. S&P's counsel failed to comply the with the Court's January 22, 2013 Order regarding cumulative expert testimony;
2. The relevant expert opinions are inadmissible, devoid of methodology and unreliable;
3. The relevant expert opinions are irrelevant and improper subjects for expert testimony;
4. The relevant experts are not qualified to render their opinions; and
5. The relevant expert opinions would not assist the trier of fact.

Plaintiffs respectfully request oral argument on this motion.

DATED: February 8, 2013

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CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 8, 2013.

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